

---

**Introduced by Senator Calderon**

February 23, 2007

---

An act to amend Section 653o of the Penal Code, relating to crime.

LEGISLATIVE COUNSEL'S DIGEST

SB 880, as introduced, Calderon. Crime.

Existing law provides that it is a crime to import for commercial purposes, possess with intent to sell, or sell any part or product of the dead body of a kangaroo punishable by a fine between \$1,000 and \$5,000, imprisonment in the county jail not to exceed 6 months, or both fine and imprisonment, for each violation.

This bill would define "kangaroo" for the purposes of these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 653o of the Penal Code is amended to  
2     read:  
3     653o. (a) It is unlawful to import into this state for commercial  
4     purposes, to possess with intent to sell, or to sell within the state,  
5     the dead body, or any part or product thereof, of any polar bear,  
6     leopard, ocelot, tiger, cheetah, jaguar, sable antelope, wolf (*Canis*  
7     *lupus*), zebra, whale, cobra, python, sea turtle, colobus monkey,  
8     kangaroo, vicuna, sea otter, free-roaming feral horse, dolphin or  
9     porpoise (*Delphinidae*), Spanish lynx, or elephant.  
10    (b) Commencing January 1, 2010, it shall be unlawful to import  
11    into this state for commercial purposes, to possess with intent to

1 sell, or to sell within the state, the dead body, or any part or product  
2 thereof, of any crocodile or alligator.

3 *(c) For purposes of this section, “kangaroo” means those*  
4 *species of kangaroo that are included under either of the following:*

5 *(1) The federal Endangered Species Act of 1973 (16 U.S.C. Sec.*  
6 *1531 et seq.).*

7 *(2) The Convention on International Trade in Endangered*  
8 *Species of Wild Fauna and Flora, signed on March 3, 1973, 27*  
9 *U.S.T. 1087 and its appendices.*

10 ~~(e)~~

11 *(d) Any person who violates any provision of this section is*  
12 *guilty of a misdemeanor and shall be subject to a fine of not less*  
13 *than one thousand dollars (\$1,000) and not to exceed five thousand*  
14 *dollars (\$5,000) or imprisonment in the county jail for not to exceed*  
15 *six months, or both such fine and imprisonment, for each violation.*

16 ~~(d)~~

17 *(e) The prohibitions against importation for commercial*  
18 *purposes, possession with intent to sell, and sale of the species*  
19 *listed in this section are severable. A finding of the invalidity of*  
20 *any one or more prohibitions shall not affect the validity of any*  
21 *remaining prohibitions.*